

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JEFFREY A. NELSON,

Plaintiff,

-against-

ROSEANNE O'CONNOR and LAURA MILLER,

Defendants.

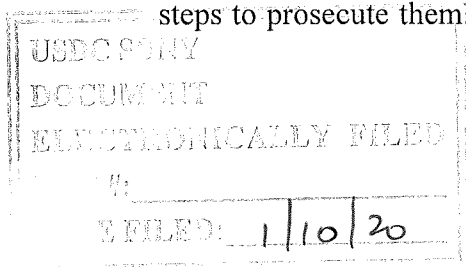
19-CV-6437 (NSR)

ORDER OF DISMISSAL

NELSON S. ROMÁN, United States District Judge:

Plaintiff Jeffrey A. Nelson ("Plaintiff"), appearing *pro se*, commenced this action pursuant to 42 U.S.C. § 1983 on March 21, 2019 in the United States District Court for the Western District of New York. (ECF No. 1.) On June 4, 2019, the Honorable United States District Court Judge Michael A. Telesca directed that all of Plaintiff's claims related to the Sullivan County Correctional Facility against Defendants Laura Miller and Roseanne O'Connor be severed and transferred to the Southern District of New York. (ECF No. 9.) The aforementioned claims were subsequently severed and transferred to the Southern District of New York. (*See* ECF No. 10.)

On November 22, 2019, the Court issued an Order to Show Cause ("OSC") why this action should not be dismissed for want of prosecution. (ECF No. 20.) In the OSC, the Court delineated Plaintiff's failure to prosecute his claims, including Plaintiff's failure to update his address on the docket after his release from the custody of the New York State Department of Corrections and Community Supervision, and his failure to take any action in this matter since filing his Complaint and request to proceed *in forma pauperis*. (*Id.*) Plaintiff was granted one month, until December 23, 2019, to demonstrate to the Court that he had not abandoned his claims and was taking diligent steps to prosecute them. (*Id.*) Despite the passage of more than a month, Plaintiff has failed to

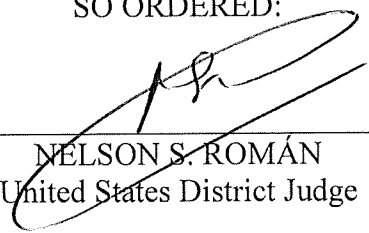


communicate with the Court or otherwise respond to the OSC. Accordingly, due to Plaintiff's failure to prosecute this action, the action is dismissed pursuant to Fed R. Civ. P. 41(b).

The Clerk of Court is respectfully directed to terminate this action. The Clerk of the Court is further directed to serve a copy of this Order on Plaintiff at the address listed on the docket and file proof of service on the docket.

Dated: January 10, 2020
White Plains, New York

SO ORDERED:



NELSON S. ROMÁN
United States District Judge